

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ARIEL FIORDALISA PEREZ,

CV No.

Plaintiff,

**NOTICE OF REMOVAL**

-against-

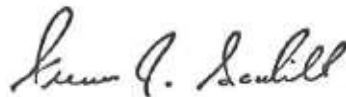
TOTAL FLEET SERVICES, LLC, and "JOHN DOE"  
fictitious, true name intended for the operator of a  
2016 Ford motor vehicle bearing Massachusetts  
registration number 1PLL56,

DEFENDANT DEMANDS  
A TRIAL BY JURY

Defendants.  
-----X

PLEASE TAKE NOTICE, that a Notice for Removal of the above-entitled action from the Supreme Court of the State of New York, County of Bronx, to the United States District Court for the Southern District of New York (a copy of which is annexed hereto) was duly filed this date in the United States District Court for the Southern District of New York, by the defendant, TOTAL FLEET SERVICES, LLC.

DATED: Bethpage, New York  
April 12, 2022



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FRANCIS J. SCAHILL (FJS-9392)  
SCAHILL LAW GROUP P.C.  
Attorney for Defendant  
TOTAL FLEET SERVICES, LLC  
1065 Stewart Avenue, Suite 210  
Bethpage, New York 11714  
(516) 294-5200

TO: WILLIAM SCHWITZER & ASSOCIATES, P.C.  
Attorneys for Plaintiff  
820 Second Avenue  
New York, New York 10017  
(212) 685-7800

CLERK OF SUPREME COURT,  
BRONX COUNTY  
851 Grand Concourse  
Bronx, New York 10451

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ARIEL FIORDALISA PEREZ,

Plaintiff,

CV No.

-against-

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2016 Ford motor vehicle bearing Massachusetts  
registration number 1PLL56,

Bronx County  
Index No. 813339/21E

Defendants.  
-----X

**TO THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

The defendant, TOTAL FLEET SERVICES, LLC, requests removal of this action from the Supreme Court of the State of New York, County of Bronx, to the United States District Court for the Southern District of New York, and respectfully shows to this Honorable Court:

FIRST: That Total Fleet Services, LLC is the defendant in a civil action brought against it in the Supreme Court of the State of New York, County of Bronx, entitled:

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ARIEL FIORDALISA PEREZ,

Plaintiff,

-against-

TOTAL FLEET SERVICES, LLC, and "JOHN DOE"  
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registration number 1PLL56,

Defendants.  
-----X

SECOND: The said action was commenced by the service of the summons and complaint upon the defendant, TOTAL FLEET SERVICES, LLC, on or about October 18, 2021. The defendant, TOTAL FLEET SERVICES, LLC, served a Verified Answer upon plaintiff's counsel on January 25, 2022. Copies of the Summons and Complaint and Answer are attached hereto and constitute all known process and pleadings served upon defendant to date.

THIRD: In the above-described action, the plaintiff alleges that she sustained personal injuries due to the negligence of the defendant as the result of an automobile accident which occurred on July 21, 2021.

FOURTH: The plaintiff, ARIEL FIORDALISA PEREZ, is a resident and a citizen of New York County, State of New York.

FIFTH: The defendant, TOTAL FLEET SERVICES, LLC, is a limited liability company located in Norfolk County, State of Massachusetts.

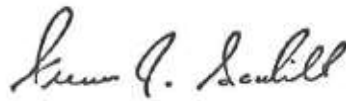
SIXTH: The within action is one over which this Court has jurisdiction by virtue of 28 USC Section 1322 on the grounds that the Court has diversity jurisdiction in actions where the parties are residents of different states.

SEVENTH: The amount in controversy exceeds \$75,000.00.

EIGHTH: The within Notice of Removal is filed within 30 days of receipt, by the moving defendant, of the Summons and Complaint, pursuant to 28 U.S.C. § 1446(b).

WHEREFORE, the defendant, TOTAL FLEET SERVICES, LLC, prays that this action be removed to the United States District Court for the Southern District of New York and that this case proceed in this Court as a properly removed cause, and that the defendant has such other, further and different relief as this Court may deem to be just and proper.

DATED: Bethpage, New York  
April 12, 2012



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FRANCIS J. SCAHILL (FJS-9392)  
SCAHILL LAW GROUP P.C.  
Attorney for Defendant  
TOTAL FLEET SERVICES, LLC  
1065 Stewart Avenue, Suite 210  
Bethpage, New York 11714  
(516) 294-5200

TO: WILLIAM SCHWITZER & ASSOCIATES, P.C.  
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UNITED STATES DISTRICT COURT  
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### NOTICE OF REMOVAL

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#### SCAHILL LAW GROUP P.C.

Attorneys for Defendants  
1065 Stewart Avenue, Suite 210  
Bethpage, New York 11714  
(516) 294-5200

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Please take notice

☐ Notice of entry

that the within is a (*certified*) true copy of a \_\_\_\_\_ duly entered in the office of the clerk of the  
within named court on \_\_\_\_\_

☐ Notice of Settlement

that an order ^ of which the within is a true copy will be presented for \_\_\_\_\_ settlement to the  
HON. \_\_\_\_\_ one of the judges of the within named court, at \_\_\_\_\_ on  
\_\_\_\_\_

Dated: Bethpage, New York

To: All Parties

#### SCAHILL LAW GROUP P.C.

Attorneys for Defendants  
1065 Stewart Avenue, Suite 210  
Bethpage, New York 11714  
(516) 294-5200